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Diane Dunn McKay, Esq.

### In re Application of Horst HEROLD

Customer No.  
26817

International Application  
No. PCT/DE2005/000122

Group Art Unit: TBD

International Filing Date: January 27, 2005

Examiner: TBD

Serial No. 10/587,704

Filed: July 28, 2006

Confirmation No. 3537

**Title: PROTECTIVE DEVICE FOR THE DRIVE UNIT OF A WATERCRAFT**

X

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

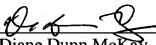
**SIR:**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) enclosed please find a Declaration for Patent Application of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.

A fee in the amount of \$65.00 was paid on July 28, 2006 when the application was submitted to the United States Patent and Trademark Office. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: April 23, 2007

  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 PO Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/587,704	FIRST NAMED APPLICANT Herold Horst	ATTY. DOCKET NO. 2870-119 US
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26817  
 MATHEWS, SHEPHERD, MCKAY, & BRUNEAU, P.A.  
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 PRINCETON, NJ 08540

INTERNATIONAL APPLICATION NO. PCT/DE05/00122	
I.A. FILING DATE 01/27/2005	PRIORITY DATE 01/30/2004

**CONFIRMATION NO. 3537  
 371 FORMALITIES LETTER**



\*OC000000023317669\*

Date Mailed: 04/11/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/28/2006
- English Translation of the IA filed on 07/28/2006
- Copy of the International Search Report filed on 07/28/2006
- Copy of IPE Report filed on 07/28/2006
- Copy of Annexes to the IPER filed on 07/28/2006
- English Translation of Annexes to the IPE filed on 07/28/2006
- Preliminary Amendments filed on 07/28/2006
- Oath or Declaration filed on 07/28/2006
- U.S. Basic National Fees filed on 07/28/2006
- Priority Documents filed on 07/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/587,704	PCT/DE05/00122	2870-119 US